

STATE OF WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
WELL WORK PERMIT APPLICATION

- 1) Well Operator: \_\_\_\_\_
- |  |  |  |  |
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|  |  |  |  |
|--|--|--|--|
- Operator ID      County      District      Quadrangle
- 2) Operator's Well Number: \_\_\_\_\_ Well Pad Name: \_\_\_\_\_
- 3 Elevation, current ground: \_\_\_\_\_ Elevation, proposed post-construction: \_\_\_\_\_
- 4) Well Type: (a) Gas \_\_\_\_\_ Oil \_\_\_\_\_ Underground Storage \_\_\_\_\_
- Other \_\_\_\_\_
- (b) If Gas: Shallow \_\_\_\_\_ Deep \_\_\_\_\_
- Horizontal \_\_\_\_\_
- 5) Existing Pad? Yes or No: \_\_\_\_\_
- 6) Proposed Target Formation(s), Depth(s), Anticipated Thicknesses and Associated Pressure(s):  
\_\_\_\_\_
- 7) Proposed Total Vertical Depth: \_\_\_\_\_
- 8) Formation at Total Vertical Depth: \_\_\_\_\_
- 9) Proposed Total Measured Depth: \_\_\_\_\_
- 10) Approximate Fresh Water Strata Depths: \_\_\_\_\_
- 11) Method to Determine Fresh Water Depth: \_\_\_\_\_
- 12) Approximate Saltwater Depths: \_\_\_\_\_
- 13) Approximate Coal Seam Depths: \_\_\_\_\_
- 14) Approximate Depth to Possible Void (coal mine, karst, other): \_\_\_\_\_
- 15) Does proposed well location contain coal seams directly overlying or adjacent to an active mine? If so, indicate name and depth of mine: \_\_\_\_\_
- 16) Describe proposed well work: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 17) Describe fracturing/stimulating methods in detail:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 18) Total area to be disturbed, including roads, stockpile area, pits, etc, (acres): \_\_\_\_\_
- 19) Area to be disturbed for well pad only, less access road (acres): \_\_\_\_\_

20)

**CASING AND TUBING PROGRAM**

<b>TYPE</b>	<u>Size</u>	<u>New or Used</u>	<u>Grade</u>	<u>Weight per ft.</u>	<u>FOOTAGE: For Drilling</u>	<u>INTERVALS: Left in Well</u>	<u>CEMENT: Fill -up (Cu. Ft.)</u>
Conductor							
Fresh Water							
Coal							
Intermediate							
Production							
Tubing							
Liners							

<b>TYPE</b>	<u>Size</u>	<u>Wellbore Diameter</u>	<u>Wall Thickness</u>	<u>Burst Pressure</u>	<u>Cement Type</u>	<u>Cement Yield</u>
Conductor						
Fresh Water						
Coal						
Intermediate						
Production						
Tubing						
Liners						

**PACKERS**

Kind:				
Sizes:				
Depths Set:				

21) Describe centralizer placement for each casing string.

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22) Describe all cement additives associated with each cement type.

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23) Proposed borehole conditioning procedures.

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\*Note: Attach additional sheets as needed.

**Horizontal Natural Gas Well Work Permit  
Application Notice By Publication**

**Notice is hereby given:**

Pursuant to West Virginia Code 22-6A-10(e) prior to filing an application for a permit for a horizontal well the applicant shall publish in the county in which the well is located or is proposed to be located a Class II legal advertisement.

**Paper:** \_\_\_\_\_

**Public Notice Date:** \_\_\_\_\_

The following applicant intends to apply for a horizontal natural well work permit which disturbs three acres or more of surface excluding pipelines, gathering lines and roads **or** utilizes more than two hundred ten thousand gallons of water in any thirty day period.

**Applicant:** \_\_\_\_\_ **Well Number:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
\_\_\_\_\_

**Business Conducted:** Natural gas production.

**Location –**

State: \_\_\_\_\_ County: \_\_\_\_\_  
District: \_\_\_\_\_ Quadrangle: \_\_\_\_\_  
UTM Coordinate NAD83 Northing: \_\_\_\_\_  
UTM coordinate NAD83 Easting: \_\_\_\_\_  
Watershed: \_\_\_\_\_

**Coordinate Conversion:**

To convert the coordinates above into longitude and latitude, visit: [http://tagis.dep.wv.gov/convert/llutm\\_conus.php](http://tagis.dep.wv.gov/convert/llutm_conus.php)

**Electronic notification:**

To receive an email when applications have been received or issued by the Office of Oil and Gas, visit <http://www.dep.wv.gov/insidedep/Pages/DEPMailingLists.aspx> to sign up.

**Reviewing Applications:**

Copies of the proposed permit application may be reviewed at the WV Department of Environmental Protection headquarters, located at 601 57<sup>th</sup> Street, SE Charleston, WV 25304 (304-926-0450). Full copies or scans of the proposed permit application will cost \$15, whether mailed or obtained at DEP headquarters. Copies may be requested by calling the office or by sending an email to [DEP.oog@wv.gov](mailto:DEP.oog@wv.gov).

**Submitting Comments:**

Comments may be submitted online at <https://apps.dep.wv.gov/oog/comments/comments.cfm>, or by letter to Permit Review, Office of Oil and Gas, 601 57<sup>th</sup> Street, SE Charleston, WV 25304. Please reference the county, well number, and operator when using this option.

Regardless of format for comment submissions, they must be received no later than thirty days after the permit application is received by the Office of Oil and Gas.

For information related to horizontal drilling visit: [www.dep.wv.gov/oil-and-gas/pages/default.aspx](http://www.dep.wv.gov/oil-and-gas/pages/default.aspx)

**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**NOTICE OF APPLICATION**

**Notice Time Requirement:** notice shall be provided no later than the **filing date of permit application.**

**Date of Notice:** \_\_\_\_\_ **Date Permit Application Filed:** \_\_\_\_\_

**Notice of:**

- ☐ PERMIT FOR ANY WELL WORK      ☐ CERTIFICATE OF APPROVAL FOR THE CONSTRUCTION OF AN IMPOUNDMENT OR PIT

**Delivery method pursuant to West Virginia Code § 22-6A-10(b)**

- ☐ PERSONAL SERVICE      ☐ REGISTERED MAIL      ☐ METHOD OF DELIVERY THAT REQUIRES A RECEIPT OR SIGNATURE CONFIRMATION

Pursuant to W. Va. Code § 22-6A-10(b) no later than the filing date of the application, the applicant for a permit for any well work or for a certificate of approval for the construction of an impoundment or pit as required by this article shall deliver, by personal service or by registered mail or by any method of delivery that requires a receipt or signature confirmation, copies of the application, the erosion and sediment control plan required by section seven of this article, and the well plat to each of the following persons: (1) The owners of record of the surface of the tract on which the well is or is proposed to be located; (2) The owners of record of the surface tract or tracts overlying the oil and gas leasehold being developed by the proposed well work, if the surface tract is to be used for roads or other land disturbance as described in the erosion and sediment control plan submitted pursuant to subsection (c), section seven of this article; (3) The coal owner, operator or lessee, in the event the tract of land on which the well proposed to be drilled is located [sic] is known to be underlain by one or more coal seams; (4) The owners of record of the surface tract or tracts overlying the oil and gas leasehold being developed by the proposed well work, if the surface tract is to be used for the placement, construction, enlargement, alteration, repair, removal or abandonment of any impoundment or pit as described in section nine of this article; (5) Any surface owner or water purveyor who is known to the applicant to have a water well, spring or water supply source located within one thousand five hundred feet of the center of the well pad which is used to provide water for consumption by humans or domestic animals; and (6) The operator of any natural gas storage field within which the proposed well work activity is to take place. (c)(1) If more than three tenants in common or other co-owners of interests described in subsection (b) of this section hold interests in the lands, the applicant may serve the documents required upon the person described in the records of the sheriff required to be maintained pursuant to section eight, article one, chapter eleven-a of this code. (2) Notwithstanding any provision of this article to the contrary, notice to a lien holder is not notice to a landowner, unless the lien holder is the landowner. W. Va. Code R. § 35-8-5.7.a requires, in part, that the operator shall also provide the Well Site Safety Plan ("WSSP") to the surface owner and any water purveyor or surface owner subject to notice and water testing as provided in section 15 of this rule.

☐ Application Notice ☐ WSSP Notice ☐ E&S Plan Notice ☐ Well Plat Notice is hereby provided to:

☐ SURFACE OWNER(s)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☐ SURFACE OWNER(s) (Road and/or Other Disturbance)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☐ SURFACE OWNER(s) (Impoundments or Pits)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☐ COAL OWNER OR LESSEE

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☐ COAL OPERATOR

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☐ WATER PURVEYOR(s)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☐ OPERATOR OF ANY NATURAL GAS STORAGE FIELD

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\*Please attach additional forms if necessary

**Notice is hereby given:**

Pursuant to West Virginia Code § 22-6A-10(b), notice is hereby given that the undersigned well operator has applied for a permit for well work or for a certificate of approval for the construction of an impoundment or pit.

**This Notice Shall Include:**

Pursuant to W. Va. Code § 22-6A-10(b), this notice shall include: (1) copies of the application; (2) the erosion and sediment control plan required by section seven of this article; and (3) the well plat.

Pursuant to W. Va. Code § 22-6A-10(f), this notice shall include: (1) a statement of the time limits for filing written comments; (2) who may file written comments; (3) the name and address of the secretary for the purpose of filing the comments and obtaining additional information; and (4) a statement that the persons may request, at the time of submitting written comments, notice of the permit decision and a list of persons qualified to test water.

Pursuant to W. Va. Code R. § 35-8-5.7.a, the operator shall provide the Well Site Safety Plan to the surface owner and any water purveyor or surface owner subject to notice and water testing as provided in section 15 of this rule.

Pursuant to W. Va. Code R. § 35-8-15.2.c, this notice shall: (1) contain a statement of the surface owner's and water purveyor's right to request sampling and analysis; (2) advise the surface owner and water purveyor of the rebuttable presumption for contamination or deprivation of a fresh water source or supply; advise the surface owner and water purveyor that refusal to allow the operator to conduct a pre-drilling water well test constitutes a method to rebut the presumption of liability; (3) advise the surface owner and water purveyor of his or her independent right to sample and analyze any water supply at his or her own expense; advise the surface owner and water purveyor whether or not the operator will utilize an independent laboratory to analyze any sample; and (4) advise the surface owner and or water purveyor that he or she can obtain from the Chief a list of water testing laboratories in the subject area capable of and qualified to test water supplies in accordance with standard acceptable methods.

Additional information related to horizontal drilling may be obtained from the Secretary, at the WV Department of Environmental Protection headquarters, located at 601 57<sup>th</sup> Street, SE, Charleston, WV 25304 (304-926-0450) or by visiting [www.dep.wv.gov/oil-and-gas/pages/default.aspx](http://www.dep.wv.gov/oil-and-gas/pages/default.aspx).

**Well Location Restrictions**

Pursuant to W. Va. Code § 22-6A-12, Wells may not be drilled within two hundred fifty feet measured horizontally from any existing water well or developed spring used for human or domestic animal consumption. The center of well pads may not be located within six hundred twenty-five feet of an occupied dwelling structure, or a building two thousand five hundred square feet or larger used to house or shelter dairy cattle or poultry husbandry. This limitation is applicable to those wells, developed springs, dwellings or agricultural buildings that existed on the date a notice to the surface owner of planned entry for surveying or staking as provided in section ten of this article or a notice of intent to drill a horizontal well as provided in subsection (b), section sixteen of this article was provided, whichever occurs first, and to any dwelling under construction prior to that date. This limitation may be waived by written consent of the surface owner transmitted to the department and recorded in the real property records maintained by the clerk of the county commission for the county in which such property is located. Furthermore, the well operator may be granted a variance by the secretary from these distance restrictions upon submission of a plan which identifies the sufficient measures, facilities or practices to be employed during well site construction, drilling and operations. The variance, if granted, shall include terms and conditions the department requires to ensure the safety and protection of affected persons and property. The terms and conditions may include insurance, bonding and indemnification, as well as technical requirements. (b) No well pad may be prepared or well drilled within one hundred feet measured horizontally from any perennial stream, natural or artificial lake, pond or reservoir, or a wetland, or within three hundred feet of a naturally reproducing trout stream. No well pad may be located within one thousand feet of a surface or ground water intake of a public water supply. The distance from the public water supply as identified by the department shall be measured as follows: (1) For a surface water intake on a lake or reservoir, the distance shall be measured from the boundary of the lake or reservoir. (2) For a surface water intake on a flowing stream, the distance shall be measured from a semicircular radius extending upstream of the surface water intake. (3) For a groundwater source, the distance shall be measured from the wellhead or spring. The department may, in its discretion, waive these distance restrictions upon submission of a plan identifying sufficient measures, facilities or practices to be employed during well site construction, drilling and operations to protect the waters of the state. A waiver, if granted, shall impose any permit conditions as the secretary considers necessary. (c) Notwithstanding the foregoing provisions of this section, nothing contained in this section prevents an operator from conducting the activities permitted or authorized by a Clean Water Act Section 404 permit or other approval from the United States Army Corps of Engineers within any waters of the state or within the restricted areas referenced in this section. (d) The well location restrictions set forth in this section shall not apply to any well on a multiple well pad if at least one of the wells was permitted prior to the effective date of this article. (e) The secretary shall, by December 31, 2012, report to the Legislature on the noise, light, dust and volatile organic compounds generated by the drilling of horizontal wells as they relate to the well location restrictions regarding occupied dwelling structures pursuant to this section. Upon a finding, if any, by the secretary that the well location restrictions regarding occupied dwelling structures are inadequate or otherwise require alteration to address the items

examined in the study required by this subsection, the secretary shall have the authority to propose for promulgation legislative rules establishing guidelines and procedures regarding reasonable levels of noise, light, dust and volatile organic compounds relating to drilling horizontal wells, including reasonable means of mitigating such factors, if necessary.

### **Water Well Testing:**

Pursuant to West Virginia Code § 22-6A-10(d), notification shall be made, with respect to surface landowners identified in subsection (b) or water purveyors identified in subdivision (5), subsection (b) of this section, of the opportunity for testing their water well. The operator shall provide an analysis to such surface landowner or water purveyor at their request.

### **Water Testing Laboratories:**

Pursuant to West Virginia Code § 22-6A-10(i), persons entitled to notice pursuant to subsection (b) of this section may contact the department to ascertain the names and locations of water testing laboratories in the subject area capable and qualified to test water supplies in accordance with standard accepted methods. In compiling that list of names the department shall consult with the state Bureau for Public Health and local health departments. A surface owner and water purveyor has an independent right to sample and analyze any water supply at his or her own expense. The laboratory utilized by the operator shall be approved by the agency as being certified and capable of performing sample analyses in accordance with this section.

### **Rebuttable Presumption for Contamination or Deprivation of a Fresh Water Source or Supply:**

W. Va. Code § 22-6A-18 requires that (b) unless rebutted by one of the defenses established in subsection (c) of this section, in any action for contamination or deprivation of a fresh water source or supply within one thousand five hundred feet of the center of the well pad for horizontal well, there is a rebuttable presumption that the drilling and the oil or gas well or either was the proximate cause of the contamination or deprivation of the fresh water source or supply. (c) In order to rebut the presumption of liability established in subsection (b) of this section, the operator must prove by a preponderance of the evidence one of the following defenses: (1) The pollution existed prior to the drilling or alteration activity as determined by a predrilling or prealteration water well test. (2) The landowner or water purveyor refused to allow the operator access to the property to conduct a predrilling or prealteration water well test. (3) The water supply is not within one thousand five hundred feet of the well. (4) The pollution occurred more than six months after completion of drilling or alteration activities. (5) The pollution occurred as the result of some cause other than the drilling or alteration activity. (d) Any operator electing to preserve its defenses under subdivision (1), subsection (c) of this section shall retain the services of an independent certified laboratory to conduct the predrilling or prealteration water well test. A copy of the results of the test shall be submitted to the department and the surface owner or water purveyor in a manner prescribed by the secretary. (e) Any operator shall replace the water supply of an owner of interest in real property who obtains all or part of that owner's supply of water for domestic, agricultural, industrial or other legitimate use from an underground or surface source with a comparable water supply where the secretary determines that the water supply has been affected by contamination, diminution or interruption proximately caused by the oil or gas operation, unless waived in writing by that owner. (f) The secretary may order the operator conducting the oil or gas operation to: (1) Provide an emergency drinking water supply within twenty-four hours; (2) Provide temporary water supply within seventy-two hours; (3) Within thirty days begin activities to establish a permanent water supply or submit a proposal to the secretary outlining the measures and timetables to be used in establishing a permanent supply. The total time in providing a permanent water supply may not exceed two years. If the operator demonstrates that providing a permanent replacement water supply cannot be completed within two years, the secretary may extend the time frame on case-by-case basis; and (4) Pay all reasonable costs incurred by the real property owner in securing a water supply. (g) A person as described in subsection (b) of this section aggrieved under the provisions of subsections (b), (e) or (f) of this section may seek relief in court... (i) Notwithstanding the denial of the operator of responsibility for the damage to the real property owner's water supply or the status of any appeal on determination of liability for the damage to the real property owner's water supply, the operator may not discontinue providing the required water service until authorized to do so by the secretary or a court of competent jurisdiction.

### **Written Comment:**

Pursuant to West Virginia Code § 22-6A-11(a), all persons described in subsection (b), section ten of this article may file written comments with the secretary as to the location or construction of the applicant's proposed well work within thirty days after the application is filed with the secretary. All persons described in West Virginia Code § 22-6A-10(b) may file written comments as to the location or construction of the applicant's proposed well work to the Secretary at:

Chief, Office of Oil and Gas  
Department of Environmental Protection  
601 57<sup>th</sup> St. SE  
Charleston, WV 25304  
(304) 926-0450

Such persons may request, at the time of submitting written comments, notice of the permit decision and a list of persons qualified to test water. **NOTE: YOU ARE NOT REQUIRED TO FILE ANY COMMENT.**

### **Time Limits and Methods for Filing Comments.**

The law requires these materials to be served on or before the date the operator files its Application. You have **THIRTY (30) DAYS** after the filing date to file your comments. Comments must be filed in person or received in the mail by the Chief's office by the time stated above. You may call the Chief's office to be sure of the date. Check with your postmaster to ensure adequate delivery time or to arrange special expedited handling. If you have been contacted by the well operator and you have signed a "voluntary statement of no objection" to the planned work described in these materials, then the permit may be issued at any time.

Pursuant to West Virginia Code § 22-6A-11(c)(2), Any objections of the affected coal operators and coal seam owners and lessees shall be addressed through the processes and procedures that exist under sections fifteen, seventeen and forty, article six of this chapter, as applicable and as incorporated into this article by section five of this article. The written comments filed by the parties entitled to notice under subdivisions (1), (2), (4), (5) and (6), subsection (b), section ten of this article shall be considered by the secretary in the permit issuance process, but the parties are not entitled to participate in the processes and proceedings that exist under sections fifteen, seventeen or forty, article six of this chapter, as applicable and as incorporated into this article by section five of this article.

### **Comment Requirements**

Your comments must be in writing and include your name, address and telephone number, the well operator's name and well number and the approximate location of the proposed well site including district and county from the application. You may add other documents, such as sketches, maps or photographs to support your comments.

Disclaimer: All comments received will be placed on our web site <http://www.dep.wv.gov/oil-and-gas/Horizontal-Permits/Pages/default.aspx> and the applicant will automatically be forwarded an email notice that such comments have been submitted. The applicant will be expected to provide a response to comments submitted by any surface owner, water purveyor or natural gas storage operator noticed within the application.

### **Permit Denial or Condition**

The Chief has the power to deny or condition a well work permit. Pursuant to West Virginia Code § 22-6A-8(d), the permit may not be issued or be conditioned, including conditions with respect to the location of the well and access roads prior to issuance if the director determines that:

- (1) The proposed well work will constitute a hazard to the safety of persons;
- (2) The plan for soil erosion and sediment control is not adequate or effective;
- (3) Damage would occur to publicly owned lands or resources; or
- (4) The proposed well work fails to protect fresh water sources or supplies.

A permit may also be denied under West Virginia Code § 22-6A-7(k), the secretary shall deny the issuance of a permit if the secretary determines that the applicant has committed a substantial violation of a previously issued permit for a horizontal well, including the applicable erosion and sediment control plan associated with the previously issued permit, or a substantial violation of one or more of the rules promulgated under this article, and in each instance has failed to abate or seek review of the violation within the time prescribed by the secretary pursuant to the provisions of subdivisions (1) and (2), subsection (a), section five of this article and the rules promulgated hereunder, which time may not be unreasonable.

Pursuant to West Virginia Code § 22-6A-10(g), any person entitled to submit written comments to the secretary pursuant to subsection (a), section eleven of this article, shall also be entitled to receive from the secretary a copy of the permit as issued or a copy of the order modifying or denying the permit if the person requests receipt of them as a part of the written comments submitted concerning the permit application. Such persons may request, at the time of submitting written comments, notice of the permit decision and a list of persons qualified to test water.



**Notice is hereby given by:**

Well Operator: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
Facsimile: \_\_\_\_\_

**Oil and Gas Privacy Notice:**

The Office of Oil and Gas processes your personal information, such as name, address and telephone number, as part of our regulatory duties. Your personal information may be disclosed to other State agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. Our office will appropriately secure your personal information. If you have any questions about our use or your personal information, please contact DEP's Chief Privacy Officer at [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).



Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

The Office of Oil and Gas processes your personal information, such as name, address and telephone number, as part of our regulatory duties. Your personal information may be disclosed to other State agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. Our office will appropriately secure your personal information. If you have any questions about our use or your personal information, please contact DEP's Chief Privacy Officer at [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).

**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**NOTICE CERTIFICATION**

**Date of Notice Certification:** \_\_\_\_\_

**API No. 47-** \_\_\_\_\_ **-** \_\_\_\_\_

**Operator's Well No.** \_\_\_\_\_

**Well Pad Name:** \_\_\_\_\_

**Notice has been given:**

Pursuant to the provisions in West Virginia Code § 22-6A, the Operator has provided the required parties with the Notice Forms listed below for the tract of land as follows:

State: _____	UTM NAD 83	Easting: _____
County: _____		Northing: _____
District: _____	Public Road Access: _____	
Quadrangle: _____	Generally used farm name: _____	
Watershed: _____		

Pursuant to West Virginia Code § 22-6A-7(b), every permit application filed under this section shall be on a form as may be prescribed by the secretary, shall be verified and shall contain the following information: (14) A certification from the operator that (i) it has provided the owners of the surface described in subdivisions (1), (2) and (4), subsection (b), section ten of this article, the information required by subsections (b) and (c), section sixteen of this article; (ii) that the requirement was deemed satisfied as a result of giving the surface owner notice of entry to survey pursuant to subsection (a), section ten of this article six-a; or (iii) the notice requirements of subsection (b), section sixteen of this article were waived in writing by the surface owner; and Pursuant to West Virginia Code § 22-6A-11(b), the applicant shall tender proof of and certify to the secretary that the notice requirements of section ten of this article have been completed by the applicant.

<p>Pursuant to West Virginia Code § 22-6A, the Operator has attached proof to this Notice Certification that the Operator has properly served the required parties with the following:</p> <p>*PLEASE CHECK ALL THAT APPLY</p> <p><input type="checkbox"/> 1. NOTICE OF SEISMIC ACTIVITY or <input type="checkbox"/> NOTICE NOT REQUIRED BECAUSE NO SEISMIC ACTIVITY WAS CONDUCTED</p> <p><input type="checkbox"/> 2. NOTICE OF ENTRY FOR PLAT SURVEY or <input type="checkbox"/> NO PLAT SURVEY WAS CONDUCTED</p> <p><input type="checkbox"/> 3. NOTICE OF INTENT TO DRILL or <input type="checkbox"/> NOTICE NOT REQUIRED BECAUSE NOTICE OF ENTRY FOR PLAT SURVEY WAS CONDUCTED or</p> <p style="padding-left: 100px;"><input type="checkbox"/> WRITTEN WAIVER BY SURFACE OWNER (PLEASE ATTACH)</p> <p><input type="checkbox"/> 4. NOTICE OF PLANNED OPERATION</p> <p><input type="checkbox"/> 5. PUBLIC NOTICE</p> <p><input type="checkbox"/> 6. NOTICE OF APPLICATION</p>	<p><b>OOG OFFICE USE ONLY</b></p> <p><input type="checkbox"/> RECEIVED/ NOT REQUIRED</p> <p><input type="checkbox"/> RECEIVED</p> <p><input type="checkbox"/> RECEIVED/ NOT REQUIRED</p> <p><input type="checkbox"/> RECEIVED</p> <p><input type="checkbox"/> RECEIVED</p> <p><input type="checkbox"/> RECEIVED</p>
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**Required Attachments:**

The Operator shall attach to this Notice Certification Form all Notice Forms and Certifications of Notice that have been provided to the required parties and/or any associated written waivers. For the Public Notice, the operator shall attach a copy of the Class II Legal Advertisement with publication date verification or the associated Affidavit of Publication. The attached Notice Forms and Certifications of Notice shall serve as proof that the required parties have been noticed as required under West Virginia Code § 22-6A. Pursuant to West Virginia Code § 22-6A-11(b), the Certification of Notice to the person may be made by affidavit of personal service, the return receipt card or other postal receipt for certified mailing.

**Certification of Notice is hereby given:**

THEREFORE, I \_\_\_\_\_, have read and understand the notice requirements within West Virginia Code § 22-6A. I certify that as required under West Virginia Code § 22-6A, I have served the attached copies of the Notice Forms, identified above, to the required parties through personal service, by registered mail or by any method of delivery that requires a receipt or signature confirmation. I certify under penalty of law that I have personally examined and am familiar with the information submitted in this Notice Certification and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Well Operator:	_____	Address:	_____
By:	_____		_____
Its:	_____	Facsimile:	_____
Telephone:	_____	Email:	_____

NOTARY SEAL

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_, Notary Public

My Commission Expires \_\_\_\_\_

**Oil and Gas Privacy Notice:**

The Office of Oil and Gas processes your personal information, such as name, address and telephone number, as part of our regulatory duties. Your personal information may be disclosed to other State agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. Our office will appropriately secure your personal information. If you have any questions about our use of your personal information, please contact DEP's Chief Privacy Officer at [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).

**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**NOTICE OF SEISMIC ACTIVITY**

**Notice Time Requirement:** The notice shall be provided at least **THREE (3) DAYS** prior to commencement of the seismic activity.

**Date of Notice:** \_\_\_\_\_ **Date of Seismic Activity:** \_\_\_\_\_

**Delivery method pursuant to West Virginia Code § 22-6A-10a**

☐ PERSONAL SERVICE      ☐ REGISTERED MAIL      ☐ METHOD OF DELIVERY THAT REQUIRES A RECEIPT OR SIGNATURE CONFIRMATION

Pursuant to West Virginia Code § 22-6A-10(j), (1) Prior to conducting any seismic activity for seismic exploration for natural gas to be extracted using horizontal drilling methods, the company or person performing the activity shall provide notice to Miss Utility of West Virginia Inc. and to all surface owners, coal owners and lessees, and natural gas storage field operators on whose property blasting, percussion or other seismic-related activities will occur. (2) The notice shall be provided at least three days prior to commencement of the seismic activity. (3) The notice shall also include a reclamation plan in accordance with the erosion and sediment control manual that provides for the reclamation of any areas disturbed as a result of the seismic activity, including filling of shotholes used for blasting. (4) Nothing in this subsection decides questions as to whether seismic activity may be secured by mineral owners, surface owners or other ownership interests.

**Notice is hereby provided to:**

☐ MISS UTILITY OF WEST VIRGINIA INC.

Address: \_\_\_\_\_  
 \_\_\_\_\_

☐ COAL OWNER OR LESSEE

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

☐ SURFACE OWNER(s)

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

☐ NATURAL GAS STORAGE FIELD OPERATOR

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

**Notice is hereby given:**

Pursuant to West Virginia Code § 22-6A-10(j), notice is hereby given that the undersigned well operator will be conducting seismic related activities for seismic exploration for natural gas to be extracted using horizontal drilling methods on the tract of land as follows:

State: _____;	UTM Coordinate NAD83 Northing: _____;
County: _____;	UTM Coordinate NAD83 Easting: _____;
District: _____;	Public Road Access: _____;
Quadrangle: _____;	Watershed: _____;
	Generally used farm name: _____;

**This Notice Shall Include:**

Pursuant to West Virginia Code § 22-6A-10(j)(3), this notice shall include a reclamation plan in accordance with the erosion and sediment control manual that provides for the reclamation of any areas disturbed as a result of the seismic activity, including filling of shotholes used for blasting. Additional information related to horizontal drilling may be obtained from the Secretary, at the WV Department of Environmental Protection headquarters, located at 601 57<sup>th</sup> Street, SE, Charleston, WV 25304 (304-926-0450) or by visiting [www.dep.wv.gov/oil-and-gas/pages/default.aspx](http://www.dep.wv.gov/oil-and-gas/pages/default.aspx).

**Notice is hereby given by:**

Well Operator: _____	Address: _____
Telephone: _____	_____
Email: _____	Facsimile: _____

**Oil and Gas Privacy Notice:**

The Office of Oil and Gas processes your personal information, such as name, address and telephone number, as part of our regulatory duties. Your personal information may be disclosed to other State agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. Our office will appropriately secure your personal information. If you have any questions about our use or your personal information, please contact DEP's Chief Privacy Officer at [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).

**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**NOTICE OF ENTRY FOR PLAT SURVEY**

**Notice Time Requirement:** Notice shall be provided at least **SEVEN (7)** days but no more than **FORTY-FIVE (45)** days prior to entry

**Date of Notice:** \_\_\_\_\_ **Date of Planned Entry:** \_\_\_\_\_

**Delivery method pursuant to West Virginia Code § 22-6A-10a**

☐ PERSONAL SERVICE      ☐ REGISTERED MAIL      ☐ METHOD OF DELIVERY THAT REQUIRES A RECEIPT OR SIGNATURE CONFIRMATION

Pursuant to West Virginia Code § 22-6A-10(a), Prior to filing a permit application, the operator shall provide notice of planned entry on to the surface tract to conduct any plat surveys required pursuant to this article. Such notice shall be provided at least seven days but no more than forty-five days prior to such entry to: (1) The surface owner of such tract; (2) to any owner or lessee of coal seams beneath such tract that has filed a declaration pursuant to section thirty-six, article six, chapter twenty-two of this code; and (3) any owner of minerals underlying such tract in the county tax records. The notice shall include a statement that copies of the state Erosion and Sediment Control Manual and the statutes and rules related to oil and gas exploration and production may be obtained from the Secretary, which statement shall include contact information, including the address for a web page on the Secretary's web site, to enable the surface owner to obtain copies from the secretary.

**Notice is hereby provided to:**

☐ SURFACE OWNER(s)

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

☐ COAL OWNER OR LESSEE

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

☐ MINERAL OWNER(s)

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

\*please attach additional forms if necessary

**Notice is hereby given:**

Pursuant to West Virginia Code § 22-6A-10(a), notice is hereby given that the undersigned well operator is planning entry to conduct a plat survey on the tract of land as follows:

State: \_\_\_\_\_  
County: \_\_\_\_\_  
District: \_\_\_\_\_  
Quadrangle: \_\_\_\_\_

Approx. Latitude & Longitude: \_\_\_\_\_  
Public Road Access: \_\_\_\_\_  
Watershed: \_\_\_\_\_  
Generally used farm name: \_\_\_\_\_

Copies of the state Erosion and Sediment Control Manual and the statutes and rules related to oil and gas exploration and production may be obtained from the Secretary, at the WV Department of Environmental Protection headquarters, located at 601 57<sup>th</sup> Street, SE, Charleston, WV 25304 (304-926-0450). Copies of such documents or additional information related to horizontal drilling may be obtained from the Secretary by visiting [www.dep.wv.gov/oil-and-gas/pages/default.aspx](http://www.dep.wv.gov/oil-and-gas/pages/default.aspx).

**Notice is hereby given by:**

Well Operator: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email: \_\_\_\_\_

Address: \_\_\_\_\_  
Facsimile: \_\_\_\_\_

**Oil and Gas Privacy Notice:**

The Office of Oil and Gas processes your personal information, such as name, address and telephone number, as part of our regulatory duties. Your personal information may be disclosed to other State agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. Our office will appropriately secure your personal information. If you have any questions about our use or your personal information, please contact DEP's Chief Privacy Officer at [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).

**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**NOTICE OF INTENT TO DRILL**

Pursuant to W. Va. Code § 22-6A-16(b), the Notice of Intent to Drill is only required if the notice requirements of W. Va. Code § 22-6A-10(a) have NOT been met or if the Notice of Intent to Drill requirement has NOT been waived in writing by the surface owner.

**Notice Time Requirement:** Notice shall be provided at least **TEN (10)** days prior to filing a permit application.

**Date of Notice:** \_\_\_\_\_ **Date Permit Application Filed:** \_\_\_\_\_

**Delivery method pursuant to West Virginia Code § 22-6A-16(b)**

☐ HAND DELIVERY      ☐ CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Pursuant to W. Va. Code § 22-6A-16(b), at least ten days prior to filing a permit application, an operator shall, by certified mail return receipt requested or hand delivery, give the surface owner notice of its intent to enter upon the surface owner's land for the purpose of drilling a horizontal well: *Provided*, That notice given pursuant to subsection (a), section ten of this article satisfies the requirements of this subsection as of the date the notice was provided to the surface owner: *Provided, however*, That the notice requirements of this subsection may be waived in writing by the surface owner. The notice, if required, shall include the name, address, telephone number, and if available, facsimile number and electronic mail address of the operator and the operator's authorized representative.

**Notice is hereby provided to the SURFACE OWNER(s):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**Notice is hereby given:**

Pursuant to West Virginia Code § 22-6A-16(b), notice is hereby given that the undersigned well operator has an intent to enter upon the surface owner's land for the purpose of drilling a horizontal well on the tract of land as follows:

State: _____	UTM NAD 83	Easting: _____
County: _____		Northing: _____
District: _____	Public Road Access: _____	
Quadrangle: _____	Generally used farm name: _____	
Watershed: _____		

**This Notice Shall Include:**

Pursuant to West Virginia Code § 22-6A-16(b), this notice shall include the name, address, telephone number, and if available, facsimile number and electronic mail address of the operator and the operator's authorized representative. Additional information related to horizontal drilling may be obtained from the Secretary, at the WV Department of Environmental Protection headquarters, located at 601 57<sup>th</sup> Street, SE, Charleston, WV 25304 (304-926-0450) or by visiting [www.dep.wv.gov/oil-and-gas/pages/default.aspx](http://www.dep.wv.gov/oil-and-gas/pages/default.aspx).

**Notice is hereby given by:**

Well Operator: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Facsimile: \_\_\_\_\_

Authorized Representative: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Facsimile: \_\_\_\_\_

**Oil and Gas Privacy Notice:**

The Office of Oil and Gas processes your personal information, such as name, address and telephone number, as part of our regulatory duties. Your personal information may be disclosed to other State agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. Our office will appropriately secure your personal information. If you have any questions about our use or your personal information, please contact DEP's Chief Privacy Officer at [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).

**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**NOTICE OF INTENT TO DRILL**  
**WAIVER**

Pursuant to W. Va. Code § 22-6A-16(b), at least ten days prior to filing a permit application, an operator shall, by certified mail return receipt requested or hand delivery, give the surface owner notice of its intent to enter upon the surface owner's land for the purpose of drilling a horizontal well: *Provided*, That notice given pursuant to subsection (a), section ten of this article satisfies the requirements of this subsection as of the date the notice was provided to the surface owner: *Provided, however*, That the notice requirements of this subsection may be waived in writing by the surface owner. The notice, if required, shall include the name, address, telephone number, and if available, facsimile number and electronic mail address of the operator and the operator's authorized representative.

**Surface Owner Waiver:**

I, \_\_\_\_\_, hereby state that I have read the notice provisions listed above and hereby waive the notice requirements under West Virginia Code § 22-6A-16(b) for the tract of land as follows:

State: _____	UTM NAD 83	Easting: _____
County: _____		Northing: _____
District: _____	Public Road Access: _____	
Quadrangle: _____	Generally used farm name: _____	
Watershed: _____		

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

**Oil and Gas Privacy Notice:**

The Office of Oil and Gas processes your personal information, such as name, address and telephone number, as part of our regulatory duties. Your personal information may be disclosed to other State agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. Our office will appropriately secure your personal information. If you have any questions about our use or your personal information, please contact DEP's Chief Privacy Officer at [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).



**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**NOTICE OF PLANNED OPERATION**

**Notice Time Requirement:** notice shall be provided no later than the **filing date of permit application.**

**Date of Notice:** \_\_\_\_\_ **Date Permit Application Filed:** \_\_\_\_\_

**Delivery method pursuant to West Virginia Code § 22-6A-16(c)**

☐ CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

☐ HAND  
DELIVERY

Pursuant to W. Va. Code § 22-6A-16(c), no later than the date for filing the permit application, an operator shall, by certified mail return receipt requested or hand delivery, give the surface owner whose land will be used for the drilling of a horizontal well notice of the planned operation. The notice required by this subsection shall include: (1) A copy of this code section; (2) The information required to be provided by subsection (b), section ten of this article to a surface owner whose land will be used in conjunction with the drilling of a horizontal well; and (3) A proposed surface use and compensation agreement containing an offer of compensation for damages to the surface affected by oil and gas operations to the extent the damages are compensable under article six-b of this chapter. (d) The notices required by this section shall be given to the surface owner at the address listed in the records of the sheriff at the time of notice.

**Notice is hereby provided to the SURFACE OWNER(s)**

(at the address listed in the records of the sheriff at the time of notice):

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

**Notice is hereby given:**

Pursuant to West Virginia Code § 22-6A-16(c), notice is hereby given that the undersigned well operator has developed a planned operation on the surface owner's land for the purpose of drilling a horizontal well on the tract of land as follows:

State: _____	UTM NAD 83	Easting: _____
County: _____		Northing: _____
District: _____	Public Road Access: _____	
Quadrangle: _____	Generally used farm name: _____	
Watershed: _____		

**This Notice Shall Include:**

Pursuant to West Virginia Code § 22-6A-16(c), this notice shall include: (1) A copy of this code section; (2) The information required to be provided by **W. Va. Code § 22-6A-10(b)** to a surface owner whose land will be used in conjunction with the drilling of a horizontal well; and (3) A proposed surface use and compensation agreement containing an offer of compensation for damages to the surface affected by oil and gas operations to the extent the damages are compensable under article six-b of this chapter. Additional information related to horizontal drilling may be obtained from the Secretary, at the WV Department of Environmental Protection headquarters, located at 601 57<sup>th</sup> Street, SE, Charleston, WV 25304 (304-926-0450) or by visiting [www.dep.wv.gov/oil-and-gas/pages/default.aspx](http://www.dep.wv.gov/oil-and-gas/pages/default.aspx).

Well Operator: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email: \_\_\_\_\_

Address: \_\_\_\_\_  
Facsimile: \_\_\_\_\_

**Oil and Gas Privacy Notice:**

The Office of Oil and Gas processes your personal information, such as name, address and telephone number, as part of our regulatory duties. Your personal information may be disclosed to other State agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. Our office will appropriately secure your personal information. If you have any questions about our use or your personal information, please contact DEP's Chief Privacy Officer at [deprivacyofficer@wv.gov](mailto:deprivacyofficer@wv.gov).

**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**WELL LOCATION RESTRICTION WAIVER**

The well operator, \_\_\_\_\_ is applying for a permit from the State of West Virginia to conduct oil or gas well work. Please be advised that well work permits are valid for twenty-four (24) months.

**Well Location Restrictions**

Pursuant to West Virginia Code § 22-6A-12(a), Wells may not be drilled within two hundred fifty feet measured horizontally from any existing water well or developed spring used for human or domestic animal consumption. The center of well pads may not be located within six hundred twenty-five feet of an occupied dwelling structure, or a building two thousand five hundred square feet or larger used to house or shelter dairy cattle or poultry husbandry. This limitation is applicable to those wells, developed springs, dwellings or agricultural buildings that existed on the date a notice to the surface owner of planned entry for surveying or staking as provided in section ten of this article or a notice of intent to drill a horizontal well as provided in subsection (b), section sixteen of this article was provided, whichever occurs first, and to any dwelling under construction prior to that date. This limitation may be waived by written consent of the surface owner transmitted to the department and recorded in the real property records maintained by the clerk of the county commission for the county in which such property is located. Furthermore, the well operator may be granted a variance by the secretary from these distance restrictions upon submission of a plan which identifies the sufficient measures, facilities or practices to be employed during well site construction, drilling and operations. The variance, if granted, shall include terms and conditions the department requires to ensure the safety and protection of affected persons and property. The terms and conditions may include insurance, bonding and indemnification, as well as technical requirements.

**WAIVER**

I, \_\_\_\_\_, hereby state that I have read the Instructions to Persons Named on Page WW-6A and the associated provisions listed above, and that I have received copies of a Notice of Application, an Application for a Well Work Permit on Form WW-6A and attachments consisting of pages one (1) through \_\_\_\_\_, including the erosion and sediment control plan, if required, and the well plat, all for proposed well work on the tract of land as follows:

State: _____	UTM NAD 83 Easting: _____
County: _____	UTM NAD 83 Northing: _____
District: _____	Public Road Access: _____
Quadrangle: _____	Generally used farm name: _____
Watershed: _____	

I further state that I have no objection to the planned work described in these materials, and I have no objection to a permit being issued on those materials and I therefore waive all well site restrictions listed under West Virginia Code § 22-6A-12(a).

**WELL SITE RESTRICTIONS BEING WAIVED**

\*Please check all that apply

- ☐ EXISTING WATER WELLS
- ☐ DEVELOPED SPRINGS
- ☐ DWELLINGS
- ☐ AGRICULTURAL BUILDINGS

**FOR EXECUTION BY A NATURAL PERSON**

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Date: \_\_\_\_\_

**FOR EXECUTION BY A CORPORATION, ETC.**

Company: \_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

Well Operator: \_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

Signature: \_\_\_\_\_  
Telephone: \_\_\_\_\_

NOTARY SEAL

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

**Oil and Gas Privacy Notice:**

The Office of Oil and Gas processes your personal information, such as name, address and telephone number, as part of our regulatory duties. Your personal information may be disclosed to other State agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. Our office will appropriately secure your personal information. If you have any questions about our use of your personal information, please contact DEP's Chief Privacy Officer at [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).

**INFORMATION SUPPLIED UNDER WEST VIRGINIA CODE**  
**Chapter 22, Article 6A, Section 5(a)(5)**  
**IN LIEU OF FILING LEASE(S) AND OTHER CONTINUING CONTRACT(S)**

Under the oath required to make the verification on page 1 of this Notice and Application, I depose and say that I am the person who signed the Notice and Application for the Applicant, and that –

- (1) the tract of land is the same tract described in this Application, partly or wholly depicted in the accompanying plat, and described in the Construction and Reclamation Plan;
- (2) the parties and recordation data (if recorded) for lease(s) or other continuing contract(s) by which the Applicant claims the right to extract, produce or market the oil or gas are as follows:

Lease Name or Number	Grantor, Lessor, etc.	Grantee, Lessee, etc.	Royalty	Book/Page
-------------------------	-----------------------	-----------------------	---------	-----------

**Acknowledgement of Possible Permitting/Approval**  
**In Addition to the Office of Oil and Gas**

The permit applicant for the proposed well work addressed in this application hereby acknowledges the possibility of the need for permits and/or approvals from local, state, or federal entities in addition to the DEP, Office of Oil and Gas, including but not limited to the following:

- WV Division of Water and Waste Management
- WV Division of Natural Resources WV Division of Highways
- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- County Floodplain Coordinator

The applicant further acknowledges that any Office of Oil and Gas permit in no way overrides, replaces, or nullifies the need for other permits/approvals that may be necessary and further affirms that all needed permits/approvals should be acquired from the appropriate authority before the affected activity is initiated.

Well Operator: \_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

**STATE OF WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF OIL AND GAS**

**FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN**

Operator Name \_\_\_\_\_ OP Code \_\_\_\_\_

Watershed (HUC 10) \_\_\_\_\_ Quadrangle \_\_\_\_\_

Elevation \_\_\_\_\_ County \_\_\_\_\_ District \_\_\_\_\_

Do you anticipate using more than 5,000 bbls of water to complete the proposed well work? Yes \_\_\_\_\_ No \_\_\_\_\_

Will a pit be used for drill cuttings? Yes \_\_\_\_\_ No \_\_\_\_\_

If so, please describe anticipated pit waste: \_\_\_\_\_

Will a synthetic liner be used in the pit? Yes \_\_\_\_\_ No \_\_\_\_\_ If so, what ml.? \_\_\_\_\_

Proposed Disposal Method For Treated Pit Wastes:

- \_\_\_\_\_ Land Application
- \_\_\_\_\_ Underground Injection ( UIC Permit Number \_\_\_\_\_ )
- \_\_\_\_\_ Reuse (at API Number \_\_\_\_\_ )
- \_\_\_\_\_ Off Site Disposal (Supply form WW-9 for disposal location)
- \_\_\_\_\_ Other (Explain \_\_\_\_\_)

Will closed loop system be used? \_\_\_\_\_

Drilling medium anticipated for this well? Air, freshwater, oil based, etc. \_\_\_\_\_

-If oil based, what type? Synthetic, petroleum, etc. \_\_\_\_\_

Additives to be used in drilling medium? \_\_\_\_\_

Drill cuttings disposal method? Leave in pit, landfill, removed offsite, etc. \_\_\_\_\_

-If left in pit and plan to solidify what medium will be used? (cement, lime, sawdust) \_\_\_\_\_

-Landfill or offsite name/permit number? \_\_\_\_\_

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on August 1, 2005, by the Office of Oil and Gas of the West Virginia Department of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

Company Official Signature \_\_\_\_\_

Company Official (Typed Name) \_\_\_\_\_

Company Official Title \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

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Proposed Revegetation Treatment: Acres Disturbed \_\_\_\_\_ Prevegetation pH \_\_\_\_\_

Lime \_\_\_\_\_ Tons/acre or to correct to pH \_\_\_\_\_

Fertilizer (10-20-20 or equivalent) \_\_\_\_\_ lbs/acre (500 lbs minimum)

Mulch \_\_\_\_\_ Tons/acre

## Seed Mixtures

Seed Type	Area I		Seed Type	Area II	
		lbs/acre			lbs/acre
_____			_____		
_____			_____		
_____			_____		

## Attach:

Drawing(s) of road, location, pit and proposed area for land application.

Photocopied section of involved 7.5' topographic sheet.

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Plan Approved by: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Field Reviewed? ( ) Yes ( ) No

OPERATOR: \_\_\_\_\_ WELL NO: \_\_\_\_\_

PAD NAME: \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

## WELL RESTRICTIONS CHECKLIST

### HORIZONTAL 6A WELL

#### Well Restrictions

\_\_\_\_\_ At Least 100 Feet from Pad and LOD (including any E&S Control Feature) to any Perennial Stream, Lake, Pond, Reservoir or Wetland; OR

\_\_\_\_\_ DEP Waiver and Permit Conditions

\_\_\_\_\_ At Least 300 Feet from Pad and LOD (including any E&S Control Feature) to any Naturally Producing Trout Stream; OR

\_\_\_\_\_ DEP Waiver and Permit Conditions

\_\_\_\_\_ At Least 1000 Feet from Pad and LOD (including any E&S Control Feature) to any Groundwater Intake or Public Water Supply; OR

\_\_\_\_\_ DEP Waiver and Permit Conditions

\_\_\_\_\_ At Least 250 Feet from an Existing Water Well or Developed Spring to Well Being Drilled; OR

\_\_\_\_\_ Surface Owner Waiver and Recorded with County Clerk, OR

\_\_\_\_\_ DEP Variance and Permit Conditions

\_\_\_\_\_ At Least 625 Feet from an Occupied Dwelling Structure to Center of the Pad; OR

\_\_\_\_\_ Surface Owner Waiver and Recorded with County Clerk, OR

\_\_\_\_\_ DEP Variance and Permit Conditions

\_\_\_\_\_ At Least 625 Feet from Agricultural Buildings Larger than 2500 Square Feet to the Center of the Pad; OR

\_\_\_\_\_ Surface Owner Waiver and Recorded with County Clerk, OR

\_\_\_\_\_ DEP Variance and Permit Conditions

OPERATOR: \_\_\_\_\_

PAD NAME: \_\_\_\_\_ WELL: \_\_\_\_\_

PAD BUILT: \_\_\_\_\_ YES \_\_\_\_\_ NO      DATE REVIEWED: \_\_\_\_\_ INT. \_\_\_\_\_

REVIEWED BY (APPLICANT): \_\_\_\_\_

APPLICANT SIGNATURE: \_\_\_\_\_

## CHECKLIST FOR FILING A PERMIT HORIZONTAL 6A WELL

Please include these required elements in the Horizontal Well 6A applications, in order listed below.  
Do not use staples.

First Well	Subsequent Well
\$10,150.00 <input type="checkbox"/>	\$5,150.00 <input type="checkbox"/>

\_\_\_\_\_ Fees

\_\_\_\_\_ Checklist / Cover letter

\_\_\_\_\_ [WW-6B](#) Notice of Application

\_\_\_\_\_ Field Approved

\_\_\_\_\_ Cement Additives

\_\_\_\_\_ Well Bore Schematic

\_\_\_\_\_ [WW-9](#) Fluids/Cuttings Disposal and Reclamation Plan

\_\_\_\_\_ Field Approved

\_\_\_\_\_ Site Safety Plan

\_\_\_\_\_ Field Approved

\_\_\_\_\_ [Water Management Plan](#)

\_\_\_\_\_ DWWM Approval

\_\_\_\_\_ Topographic Map w/water purveyors, showing access road

\_\_\_\_\_ Mylar Plat (Signed and sealed) (Surface Owner matches WW-6A)

\_\_\_\_\_ [WW-6A1](#) Lease Information

\_\_\_\_\_ Road Crossing Letter

\_\_\_\_\_ [WW-PN](#) Application Notice by Publication

\_\_\_\_\_ Public Notice (dated copy of advertisement or affidavit of publication)

\_\_\_\_\_ [WW-6AC](#) Notice Certifications, notarized

- \_\_\_\_\_ [WW-6A](#) Notice of Application notarized w/ any attachments
- \_\_\_\_\_ Topographic Map with labeled surrounding water wells
- \_\_\_\_\_ Certified Mail receipts for WW-6A
- \_\_\_\_\_ [WW-6A3](#) Notice of Entry for Plat Survey
- \_\_\_\_\_ Certified Mail receipts for WW-6A3
- \_\_\_\_\_ [WW-6A4](#) Notice of Intent to Drill
- \_\_\_\_\_ Certified Mail receipts for WW-6A4
- \_\_\_\_\_ [WW-6A5](#) Notice of Planned Operation
- \_\_\_\_\_ Certified Mail receipts for WW-6A5
- \_\_\_\_\_ [WW-6RW](#) Well Location Restriction Waiver
- \_\_\_\_\_ [WW-6AW](#) Voluntary Statement of No Objection
  - \_\_\_\_\_ Waiver for Surface Owner at Wellhead
  - \_\_\_\_\_ Waiver for Surface Owner for Roads or other Disturbances
  - \_\_\_\_\_ Waiver for Coal Owner, Operator or Lessee
  - \_\_\_\_\_ Waiver for surface owner for Impoundment or Pit
  - \_\_\_\_\_ Waiver for Surface Owner or Water Purveyor within 1500 feet of Center of Pad
  - \_\_\_\_\_ Waiver for Natural gas Storage Field Operator
- \_\_\_\_\_ Road Bonding Agreement / DOH Certification
- \_\_\_\_\_ Frac Additives List of Chemical Names & CAS #s
- \_\_\_\_\_ Site Construction, Reclamation, Erosion & Sediment Control Plans      \_\_\_\_\_ Field Approved
- \_\_\_\_\_ Copy of To Scale Plans
- \_\_\_\_\_ Inspector packet mailed to inspector (Plat, Topographic Map, WW-6B, WW-9, All Plans)
- \_\_\_\_\_ Bond (\$250,000)
- \_\_\_\_\_ Operator is registered with the SOS
- \_\_\_\_\_ Workers Compensation / Unemployment Insurance account is OK



- \_\_\_\_\_ Professional Engineer/Company has COA
- \_\_\_\_\_ Check for Mine Data at proposed coordinates
- \_\_\_\_\_ Check for Floodplain Data at proposed coordinates
- \_\_\_\_\_ [IMP-1A](#) Associated Pit or Impoundment
- \_\_\_\_\_ [WW-6A7](#) Well Restrictions Form w/ Signature
- \_\_\_\_\_ At Least 100 Feet from Pad and LOD (including any E&S Control Feature) to any Perennial Stream, Lake, Pond, Reservoir or Wetland
- \_\_\_\_\_ DEP Waiver and Permit Conditions
- \_\_\_\_\_ At Least 300 Feet from Pad and LOD (including any E&S Control Feature) to any Naturally Producing Trout Stream
- \_\_\_\_\_ DEP Waiver and Permit Conditions
- \_\_\_\_\_ At Least 1000 Feet from Pad and LOD (including any E&S Control Feature) to any Groundwater Intake or Public Water Supply
- \_\_\_\_\_ DEP Waiver and Permit Conditions
- \_\_\_\_\_ At Least 250 Feet from an Existing Water Well or Developed Spring to Well Being Drilled
- \_\_\_\_\_ Surface Owner Waiver and Recorded with County Clerk, OR
- \_\_\_\_\_ DEP Variance and Permit Conditions
- \_\_\_\_\_ At Least 625 Feet from an Occupied Dwelling Structure to the Center of the Pad
- \_\_\_\_\_ Surface Owner Waiver and Recorded with County Clerk, OR
- \_\_\_\_\_ DEP Variance and Permit Conditions
- \_\_\_\_\_ At Least 625 Feet from Agricultural Buildings Larger than 2500 Square Feet to the Center of the Pad
- \_\_\_\_\_ Surface Owner Waiver and Recorded with County Clerk, OR
- \_\_\_\_\_ DEP Variance and Permit Conditions